

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

GREGORY THOMPSON, DELORES  
THOMPSON, and ERIC THOMPSON,

Plaintiffs,

vs.

ANTHONY FLORES, Current Operator of  
Value Priced Auto Phoenixians and  
Carbid360;

Defendant.

**8:24CV173**

**FINAL PROGRESSION ORDER  
(AMENDED)**

The Court grants Plaintiffs' Unopposed Motion to Amend the Final Progression Order. [Filing No. 33](#).

Accordingly,

IT IS ORDERED that the final progression order is amended as follows:

- 1) The trial and pretrial conference will not be set at this time. The status conference to discuss case progression, the parties' interest in settlement, and the trial and pretrial conference settings currently set for October 21, 2025 is continued and will be held with the undersigned magistrate judge on **January 13, 2026** at **9:30 a.m.** by telephone. Plaintiffs' counsel and defendant shall use the conferencing instructions assigned to this case to participate in the conference.
- 2) The deadline for initial mandatory disclosures (including the listing of all witnesses and exhibits the party intends to use at trial) is June 2, 2025.
- 3) The deadline for moving to amend pleadings or add parties is August 4, 2025.

- 4) The deadline for completing written discovery under Rules 33 through 36 of the Federal Rules of Civil Procedure is September 2, 2025. Motions to compel written discovery under Rules 33, 34, 36, and 45 must be filed by September 16, 2025.

**Note:** Motions to compel shall not be filed without first contacting the chambers of the undersigned magistrate judge to set a conference for discussing the parties' dispute.

- 5) The deadline for complete expert disclosures for all experts expected to testify at trial, (both retained experts, (Fed. R. Civ. P. 26(a)(2)(B)), and non-retained experts, (Fed. R. Civ. P. 26(a)(2)(C)), are:

For the plaintiff(s): October 30, 2025

For the defendant(s): December 1, 2025

Plaintiff(s) rebuttal: December 15, 2025

- 6) The deposition deadline is January 12, 2026.
- 7) The deadline for filing motions to dismiss and motions for summary judgment is February 11, 2026.
- 8) The deadline for filing motions to exclude testimony on *Daubert* and related grounds is February 11, 2026.
- 9) Motions in limine shall be filed twenty-eight days before the trial. It is not the normal practice to hold hearings on motions in limine or to rule on them prior to the first day of trial. The parties should plan accordingly.
- 10) As with plaintiffs' counsel, the defendant is reminded to follow the Federal Rules of Civil Procedure and this court's Local Rules.

The Federal Rules of Civil Procedure are posted online at:

<https://www.uscourts.gov/rules-policies/current-rules-practice-procedure/federal-rules-civil-procedure>

The Local Rules for the United States District Court for the District of Nebraska are posted on the court's website at:

<http://www.ned.uscourts.gov/attorney/local-rules>

Court resources for parties proceeding without an attorney can be found on the Nebraska federal court's website at:

<http://www.ned.uscourts.gov/public/proceeding-without-an-attorney>

Standard forms for case and trial preparation, including subpoena forms, are posted on the Nebraska federal court's website at:

<http://www.ned.uscourts.gov/forms>

- 11) The parties shall review the Nebraska magistrate judges' practices posted at the court's Civil Case Management website at:

<https://www.ned.uscourts.gov/attorney/judges-information/civil-case-management>

- 12) As with plaintiffs' counsel, the defendant is reminded:

- a. A party must not speak with the court, or with the opposing party, unless the attorney for the opposing party is also present or on the telephone;
- b. Any written communications, such as letters or emails, to the opposing party must be sent to only the opposing party's attorney;
- c. If the defendant sends any filings, letters, or emails to the court, a copy must also be sent to the attorney for the opposing party; and
- d. If the defendant changes his address or phone number, he must immediately advise the court and the attorney for the opposing party of this change.

- 13) The court provides the following information, current as of the date of this order, to assist the parties with their communications:

**Plaintiffs' Counsel:**

Joshua D. Barber  
Barber, Barber Law Firm  
300 North 44th Street  
Suite 205  
Lincoln, NE 68503

**Defendant:**

Anthony Flores  
21836 N 23rd Avenue  
Phoenix, AZ 85027

- 14) The parties shall not contact the court about a problem until they have first tried, but failed, to resolve the problem themselves.
- 15) All requests for changes of deadlines or settings established herein shall be directed to the undersigned magistrate judge, including all requests for changes of trial dates. Such requests will not be considered absent a showing of due diligence in the timely progression of this case and the recent development of circumstances, unanticipated prior to the filing of the motion, which require that additional time be allowed.
- 16) All other deadlines and provisions in the court's prior final progression order, [Filing No. 33](#), not amended herein remain unchanged.

Dated this 24th day of April, 2025.

BY THE COURT:

*s/ Jacqueline M. DeLuca*

United States Magistrate Judge